FORK HORN WHITE TAIL RANCH GAME FARM
DECISION DOCUMENT

FEBRUARY 9, 1998

Game Farm Application and MEPA Review:

The Montana Fish, Wildlife and Parks (FWP) received an application for a game farm license from Mr. Harry R. Beebe on October 21, 1997. The Draft EA for the proposed project was released for public review and comment on December 31, 1997. Public comment was accepted through January 20, 1998.

The applicant proposes raising domestic white-tailed deer for breeding stock, antler production and other uses in accordance with Montana game farm statutes and administrative rules. Initially, approximately 10 adult white-tailed deer would be placed within a 5.5 acre enclosure, with an additional 10 fawns being added to the herd as production increased. The area consists primarily of managed coniferous forest (5 acres), but will also extend onto cleared pastureland (0.5 acres) planted to domestic grasses. The proposed Game Farm site is situated on a small forested knoll with gentle to moderate slopes decending 30-40 feet to a surrounding hay field. The proposed project is located approximately 8.5 miles southwest of Libby, Montana.

FWP contracted Maxim Technologies, Inc. (Helena) to assist in the preparation of a draft Environmental Analysis (EA). Together, we completed a draft EA pursuant to the Montana Environmental Policy Act (MEPA) and game farm statutes. This document was distributed for public review on December 31, 1997. During the completion of the EA, it was determined that a full Environmental Impact Statement would not be required. No significant impacts from the proposed action were identified that could not be mitigated. A copy of the Final EA is attached.

FWP received 3 written responses to the EA. Issues raised included: potential threat of disease to wild populations; loss of existing habitat to native wildlife; attracting local predators (mountain lions, black and grizzly bears) to the game farm site and; the integrity of the game farm perimiter fence; The Department carefully considered the issues raised and addressed these concerns in the Final EA.

Proposed Decision:

Based upon our review of the EA, the game farm license application file and the information noted below, FWP has determined that a license to operate the game farm in question will be issued. The issuance of this license is contingent upon approval of fence construction, Department of Livestock approval of quarantine and handling facilities, and the Licensee's adherence to the stipulation listed below. The Licensee will have 1 year from the date of this approval to complete fence construction as submitted in their application. Changes from the application must be approved by FWP prior to implementation of modifications.
The Licensee must be in compliance with all game farm statutes, rules and regulations of Montana Fish, Wildlife and Parks and Department of Livestock. Current regulations are attached for the applicant's information, but it is the licensee's responsibility to keep up with any changes in the laws or regulations. The Licensee must also comply with the stipulations listed below.

Lincoln

With most game farms, there is a concern of disease transmission to wild populations and also genetic 'pollution', should wild and captive animals interbreed. Wild animals such as native white-tailed deer, black bears, mountain lions and coyotes can be attracted to game farms due to the availability of food and potential breeding opportunities. Responsible management and adherence to FWP stipulations and regulations should reduce the risk of contact between wild game and game farm animals to an acceptable level. The regulatory requirements for fencing and disease control should be sufficient for this purpose. The EA recommends additional measures which would assist in that effort.

The proposed game farm will exclude wildlife from using 5.5 acres of habitat that receives moderate use by white-tailed deer. Given the small size of the area and the type of habitat being affected, this impact was not considered significant. No noticeable impacts on wildlife movement or migration through the area are expected.

Any potential impacts on water quality not addressed herein can be mitigated by the applicant's compliance with the state's water quality standards and requirements. Point source discharges, which include operations qualifying as concentrated animal feeding operations, are regulated under Title 75, Chapter 5, Part 6 MCA, and ARM 16.20.1301, et.seq. and may require permits, especially if animal numbers result in significant loss of vegetation. Nonpoint source discharges are regulated under the prohibitions against the pollution and nondegradation of state waters (Title 75, Chapter 5, Parts 3 and 6, MCA and ARM 16.20.701 et. seq.). Nonpoint sources of pollution are considered non-significant sources of degradation where reasonable land, soil and water conservation practices are applied and existing and anticipated beneficial uses will be fully protected (ARM 16.20.713). The Department of Environmental Quality has the authority to determine whether an activity satisfies these standards (ARM 16.20.709).

The accumulation of packed snow, windthrow, and other factors increase the risk of ingress and egress associated with nearly all game farms. The risks of disease transmission and genetic pollution due to ingress and egress are genuine issues. FWP will require the immediate notification of the ingress or egress of any game animal or predator of game animals in order to assess the adequacy of fencing requirements for this location. This should help to address problems early and may result in modifications to fence design.

The Department has the duty under the Montana Environmental Policy Act to conduct an additional environmental review if the action approved by the agency changes, subsequent to the agency's original approval, in a manner which has impacts substantially different from those which were reviewed in the original MEPA review (Ravalli County Fish and Game Association v. Montana Department of State Lands, 273 Mont. 371, 903 P.2d 1362 (1995)). For that reason, the Department provides notice that the MEPA review performed for the instant license application reviewed the impacts of a game farm with up to 20 white-tailed deer. To the extent that the applicant hereafter increases the number of species of animals or makes other significant changes to the operation, a supplemental MEPA review may be conducted.

Recommended Mitigation Measures:

The following recommendations address minor impacts identified in the EA that are likely to result from the Proposed Action:

- Maintain a reasonable stocking rate in the proposed game farm enclosure. A "reasonable stocking rate" is defined as the density of animals appropriate to maintain vegetative cover in pasture conditions that minimizes soil erosion from major precipitation events and snowmelt.

- Provide supplemental feed to the deer on a year-long basis to reduce the probability of overgrazing the herbaceous layer.

- Minimize stock traffic in saturated soil areas during the spring when groundwater and surface water are highest. Maintain a reasonable stocking rate for deer in the proposed game farm area to mitigate some of the potential erosion and sedimentation impacts.

- Control surface water runoff discharges from the game farm site, if they occur, by employing best management practices (BMP's) along the fenceline. The BMPs may include earth berms, straw bale dikes, vegetative buffer zones, and/or silt fences.

- Store hay, feed and salt away from exterior fences or enclose in bear-resistant containers or buildings.

- Feed game farm animals at interior portions of the enclosure and not along the perimeter fence.

- Remove dead animals, excess fecal material, and waste feed from the game farm and deposit at an approved site not likely to be used by humans, domestic animals, and wild animals. Alternatively, dead animals could be buried (minimum depth of 2 feet) and fecal material could be composted on site in dry areas. Disposal must meet county regulations for solid waste.

- Inspect the exterior game farm fence on a regular basis and immediately after events likely to damage the fence to ensure its integrity with respect to trees, frost-heaving, corrosion, burrowing animals, predators, and other game animals.

- If fence integrity or ingress/egress becomes a problem, adjust fence as necessary, including double fencing, increased post support, replacing damaged posts, or increasing fence height, particularly on steep slopes.

- During winters of exceptional snow cover or drifting, remove snow on either side of the enclosure fence to prevent ingress/egress. Adjustments in fence design or removal

of snow may be necessary to maintain a minimum 8 foot high perimeter game-proof fence.

- Risk of disease epidemic or heavy parasite infections among domestic white-tailed deer can be minimized by maintaining a reasonable domestic deer stocking rate in relation to the enclosure size, and management of manure in accordance with Montana Department of Environmental Quality guidance (DEQ 1996; Guide to Animal Waste Management and Water Quality Protection in Montana).

- Stop work in the area of any observed archaeological artifact. Report discovery of historical objects to the Montana Historical Society; Historic Preservation Office (406) 444-7715. If work stoppage in the area containing observed artifacts is not possible, record the location and position of each object, take pictures and preserve the artifact(s).

License Stipulation:

These are the license stipulations that apply to this game farm.

The following stipulations are designed to mitigate wildlife health impacts identified in the EA:

1. Licensee must report ingress of any wild game animals as well as egress of domestic white-tailed deer to FWP immediately. The report must contain the probable reason why or how ingress/egress occurred.

Information required by the stipulation in the event of ingress or egress would help both the applicant and FWP to address ingress/egress and to minimize contact between wild and domestic animals. This stipulation, in addition to existing FWP fencing and wildlife protection requirements, would effectively reduce the risk to wildlife.

2. Licensee must provide a plan to FWP demonstrating the capacity to conduct regular inspections and to respond on a timely basis to occurrence of ingress and egress.

The risk to wildlife from unreported ingress/egress is increased because the game farm operator will not reside on the site. The ability to inspect and respond to problems is necessary to reduce risks to wildlife by identifying and responding quickly to fence problems or ingress/egress events.

3. Licensee must increase fence height to 9 feet to prohibit ingress/egress in locations where the perimeter fence crosses steep (30 degree) slopes. Three specific areas of the perimeter fence have been identified: approximately 50 feet along each east to west fence line where it crosses the 30 degree slope.

The proposed game farm is primarily located on a level ridge with excellent potential for fence construction. However, a portion of the northern and southern perimeter fence will traverse a

moderately steep 30 degree slope. On the steeper slope segments, fence posts should be at least 9 feet above ground level to accommodate an extra strand of wire which must be supported with a supplemental stay every 8 feet. This additional strand of wire should reduce the ability of deer to take advantage of an inclined slope to jump the fence.

4. Licensee must ensure fence integrity throughout the game farm by removing dead or dying trees from either side of the perimeter fence that may fall on the fence, and conduct frequent inspections.

The proposed enclosure site is located at an elevation of about 2,900 feet and the expected snow levels during normal winters would be about 18 inches. However, during extreme winters, snow accumulations can reach 4 feet. The proposed game farm has only low potential for drifting during blizzards due to its sheltered location and the lack of adjacent large open areas. The development of significant drifts will be dependent upon storm characteristics and topography. Under these extreme conditions, the height of the fence above the compacted snow level may be sufficiently reduced to permit ingress of wild ungulates into the enclosure to gain access of supplemental feed. Domestic deer may also be able to leave the enclosure during periods of excessive snow cover. Removal of accumulated snow from the either side of the fence in drifted areas or increased fence height would be necessary during severe winters.

Daniel P. Vincent
Regional Supervisor

2/18/98
Date

Please sign below and return original to FWP to indicate your concurrence with the license stipulations listed above. A copy of the signed decision will be provided to you for your records.

Mail to: Noemí Barta, FWP Region One, 490 North Meridian Rd., Kalispell, MT 59901

Harry R. Beebe

Date

FINAL

ENVIRONMENTAL ASSESSMENT

FORK HORN WHITE TAIL RANCH GAME FARM

Montana Fish, Wildlife & Parks
Region 1
490 North Meridian Road
Kalispell, Montana 59901

FORK HORN WHITE TAIL RANCH GAME FARM APPLICATION
FINAL ENVIRONMENTAL ASSESSMENT

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) PROCESS

Montana Fish, Wildlife & Parks (FWP) is required to perform an environmental analysis in accordance with MEPA for "each proposal for projects, programs, legislation, and other major actions of state government significantly affecting the quality of the human environment" [Administrative Rules of Montana (ARM) 12.2.430]. FWP prepares environmental assessments (EA) to determine whether a project would have a significant effect on the environment. If FWP determines that a project would have a significant impact that could not be mitigated to a minor impact, the agency will prepare a more detailed environmental impact statement (EIS) before making a decision. If the agency determines that a proposed project would not have a significant impact, or that the impact could be mitigated to minor or none, the agency may make its licensing decision based upon results of the EA and criteria established under Montana game farm statute Montana Code Annotated (MCA) Title 87, Chapter 4, Part 4.

Mitigation measures may be considered in FWP's analysis as a means to reduce the impact(s) of a game farm to a level below significance. FWP may also recommend mitigation measures to reduce impacts that are considered minor.

FWP prepared a Draft EA for the proposed Fork Horn White Tail Ranch game farm which identified no significant impacts from the Proposed Action that could not be mitigated. The Draft EA was released for public review and comment on December 31, 1997. Public comments were accepted through January 20, 1998. The Draft EA, as modified herein, is hereby approved as the Final EA. This Final EA for the proposed Fork Horn White Tail Ranch game farm contains a summary of the Proposed Action, a description of the affected environment, and potential consequences of the Proposed Action, all of which are described in additional detail in the Draft EA which is adopted in this Final EA. This document also includes required mitigation measures, a summary of public comments with FWP responses, and the conclusion of the EA. The preferred alternative is the Proposed Action with five required mitigation measures.

PROPOSED GAME FARM APPLICATION

FWP received a completed application October 21, 1997 from Mr. Harry R. Beebe to develop a new game farm referred to as the Fork Horn White Tail Ranch game farm. The proposed game farm is located in Lincoln County, near the town of Libby, Montana. The Proposed Action would include placing up to 10 adult white-tailed deer and 10 fawns on a 5.5 acre game farm to include a quarantine and handling facility within the game farm enclosure. The proposed game farm would be constructed in two phases. The first phase would enclose 2 white-tailed deer in a 0.5 acre pasture which includes the quarantine facility. The second phase would increase the pasture an additional 5 acres to accommodate a total of 10 adult white-tailed deer and up to 10 fawns. White-tailed deer stocked at the proposed game farm would originate from Montana game farms that are known to contain only western white-tailed deer.

The applicant would breed, sell, and dispose of domestic white-tailed deer in accordance with Montana game farm and disease control requirements stipulated in Montana statute and administrative rules. Fence

construction would be in accordance with requirements of FWP under ARM 12.6.1503A unless a waiver is granted by FWP to construct a game-proof fence of an alternative design.

ALTERNATIVES

One alternative (No Action Alternative) was evaluated in the Draft EA. Under the No Action Alternative, FWP would not issue a license for development of the Fork Horn game farm as proposed. Therefore, no game farm animals would be placed on the proposed game farm site. Implementation of the No Action Alternative would not preclude other activities allowed under local, state and federal laws to take place in the proposed game farm area.

AFFECTED ENVIRONMENT

The proposed Fork Horn game farm is located on a 5.5 acre site in Lincoln County, Montana, approximately 8.5 miles southwest of Libby. The site is generally located on a broad glacial outwash terrace in the Libby Creek Valley at an elevation of about 2900 feet above mean sea level. The topography of the area consists of a small, forested, north-south oriented knoll or ridge with gentle to moderate slopes on the east and west flanks that descend 30 to 40 feet to a surrounding hay field.

The general geology of the area consists of metasedimentary rocks of the middle Proterozoic age. Continental glaciation has imposed a strong expression on the landscape in this part of northwest Montana, with glacial terraces, kames, kettles, and other glacial features found in the general vicinity of the proposed game farm site.

Soils on the site have been mapped as Andic Dystrochrepts. These soils form in stratified glacial outwash deposits of sand and gravel and are present on slopes generally less than 15 percent in mixed forest. The surface layer is composed of yellow-brown, wind deposited loess influenced by volcanic ash. The coarse fragment content in the surface layer is high, ranging from 35 to 50 percent gravels and cobbles. In the subsoil, rock content can increase to greater than 50 percent. Susceptibility of the soil to erosion in the surface layer is considered moderate, but severe in the subsoil. Sediment hazard is rated as moderate.

No active drainages extend through the proposed game farm site. Libby Creek, located about one mile east of the game farm site, is the prominent hydrologic feature in the study area. An unnamed tributary of Libby Creek located approximately 1,000 feet east of the game farm site is the nearest perennial stream. No wetland/riparian areas or springs/seeps are located within or near the proposed game farm enclosures. Several private wells are located approximately one mile northeast of the game farm site near Libby Creek; another private well exists about one mile to the north. Stock water would be supplied to the domestic white-tailed deer from a planned well located near the game farm site; water delivered by truck would be used temporarily until the well is completed.

The proposed game farm is primarily comprised of managed coniferous forest (5 acres) but will also extend onto cleared pasture land (0.5 acre) planted to domestic grasses. The dominant habitat at the proposed game farm site is the Douglas fir/twin flower type. This habitat is characterized by Douglas fir as a climax tree species with ponderosa pine, lodgepole pine, and larch as seral tree species. The herbaceous layer is comprised of twin flower, Oregon grape, pinegrass, and elk sedge. Annual production in this layer is less than 500 pounds per acre. Pasture land and hay fields in this area are planted almost exclusively with

introduced plants species such as timothy and smooth brome. Hay yield in these sites is approximately one ton per acre.

The general area surrounding the proposed game farm is used as winter range by wild white-tailed deer, mule deer, elk, mountain goat, and moose. Substantial numbers of moose move through this area in late fall and early winter as snow depth increases at higher elevations. In addition, some moose are yearlong residents in this area. Wild elk move into this general area in late fall from higher elevations in the Cabinet Range going to McMillan Ridge east of Libby Creek; they remain there until early spring when they return to the Cabinet Range. White-tailed deer are yearlong residents in this area using both the Libby Creek bottomlands and adjacent low elevation timber land. The number of wild deer and elk concentrating into this area during winter is dependent upon snow depth and severity of the winter. Mountain lions and black bears are relatively common, and occur in this area in numbers that are characteristic of western Montana. Black bear tend to concentrate in the general game farm area during spring.

Libby Creek in this reach does not support resident bull trout (a federally listed threatened species) or westslope cutthroat trout (a sensitive species) populations. However, these two fish species may occur in the Creek as transient individuals. Bald eagles (a Federally listed threatened species) winter along Libby Creek but are not known to nest in the immediate vicinity of the game farm. Peregrine falcons (endangered) may be migratory through this area but they are not known to nest in this area. Although grizzly bears and gray wolves potentially pass through this area as transient individuals, small resident populations of each species are located in nearby areas. There are no other Federally listed threatened and endangered species expected to occur in this area.

CONSEQUENCES OF THE PROPOSED ACTION

Impacts to Vegetation and Soil Resources

Impacts to land resources associated with the Proposed Action are expected to be minor if a reasonable stocking rate is used. Because the susceptibility of the surface layer to erosion is moderate, the soil may be able to withstand some measure of overgrazing and trampling with only moderate reductions in productivity. However, if overgrazing were to occur on the slopes along the east and west sides of the knoll, excessive removal of vegetation may result in the formation of rills or gullies, especially due to the severe erosion potential of the subsoil.

Other potential impacts to the soil resource include excessive soil compaction in areas where deer may congregate and in concentration areas used for winter feeding. Soil compaction coupled with high densities of animals can result in the typical bare ground condition common to feed lot situations. Maintaining an adequate vegetative cover should effectively mitigate this impact.

The proposed game farm would require that conifer trees be removed from either side (approximately 20 feet) of the perimeter fence to reduce the risk of a tree falling on the fence. Trees may also be thinned to increase forage production. Intensive grazing and browsing by white-tailed deer is expected to alter the species composition of the herbaceous layer. Intensive browsing by white-tailed deer generally prevents growth and establishment of deciduous trees and shrubs. Under intensive stocking densities, it is possible that some areas of bare soil may develop and provide increased opportunity for the establishment of weeds.

Impacts to Water Resources

Increased runoff and erosion may occur locally from greater soil disturbance within the game farm enclosure. Impacts would be minor and limited to the area within and immediately surrounding the game farm site. No surface water bodies in the vicinity likely would be affected. Nutrient-enriched water from deer fecal matter may locally affect shallow groundwater during major precipitation events and snowmelt. However, the clayey glacial deposits underlying the project site would minimize potential groundwater impacts. Potential hydrologic impacts from the proposed Fork Horn game farm are considered minor and should not adversely affect water quality in the project area.

Impacts to Wildlife Resources

Fencing of the proposed game farm would exclude wild deer, elk and moose from approximately 5.5 acres of forest and pasture land. This is not critical habitat and it is widely distributed elsewhere in this general area. There is a possibility that wild deer, elk or moose may enter the enclosure especially during periods of drifted snow or deep snow accumulation in the winter. Wild ungulates entering the game farm would likely be destroyed rather than released back to the wild. Mountain lions and black bears reside in the vicinity of the proposed game farm and may be attracted to the game farm due to the concentration of domestic deer or presence of grain.

Two Federally listed threatened species, the grizzly bear and gray wolf, are known to live in the general area surrounding the proposed game farm. There is a possibility that transient grizzly bears or wolves may pass by the game farm and be attracted to the confined domestic deer. Bears would also be attracted to the site by the presence of supplemental feed. Both these species would be capable of entering the enclosure and capturing deer.

There is an undetermined potential of domestic deer carrying or becoming infected with a contagious wildlife disease or parasite such as tuberculosis or meningeal worm, and then coming in contact (through-the-fence, nose-to-nose, nose-to-soil, or ingress/egress) with wild deer, elk, or other wildlife. It is also possible that diseases and parasites carried by wild deer could be introduced to domestic deer with equally severe impacts. Brucellosis and tuberculosis are potentially transmittable from deer to cattle, livestock , and wildlife. The risk of disease being passed from domestic deer to domestic livestock would be minimal if the fence integrity is maintained and appropriate mitigation measures are followed.

The meningeal worm is a clinically silent nematode in white-tailed deer, but when infective larvae are ingested by moose or elk, they inflict neurological damage that eventually leads to the death of the host animal. This disease is believed to be spreading westward but has not appeared in Montana. Consequently, it is extremely important that white-tailed deer to be stocked at the proposed game farm will originate from Montana game farms that are known to contain only western white-tailed deer.

Human Risk/Health Hazard Impacts

Spread of a contagious wildlife disease may directly or indirectly (depending upon the nature of the disease) affect the human environment by reducing the number of wild deer and elk available for hunting or exposing hunters to diseases that are also contagious to humans. Risk to human health from diseased animals could be significant, but routine brucellosis and tuberculosis testing requirements for game farm animals offer a measure of surveillance that minimizes that risk.

Community Impacts

The Proposed Action is consistent with the land use and values of the community in the vicinity of the proposed game farm area. While the Proposed Action may increase the income level for the applicant and increase taxes paid to the county, it is not expected to significantly impact the community income levels. The Proposed Action may present a traffic hazard by people slowing or stopping on the road to view the game farm white tail deer.

Impacts to Public Services/Taxes/Utilities

Approval of a license would require supervision by FWP personnel including inspections. Implementation of the Proposed Action would provide the county with similar or slightly more tax revenue paid by the applicant if the proposed game farm area continued to be used for cattle grazing. The collected taxes would go into the county general fund and the local school district.

Impacts to Aesthetics/Recreation

If the stocking density is too high to maintain vegetation in pastures visible from the public road, the Proposed Action has the potential to alter the scenic vista from the road or alter the aesthetic character of the neighborhood.

REQUIRED STIPULATIONS

The following stipulations are designed to mitigate wildlife health impacts identified in the EA:

(1) *Report ingress of any wild game animals as well as egress of domestic white-tailed deer to FWP immediately. The report must contain the probable reason why or how ingress/egress occurred.*

Information required by the stipulation in the event of ingress or egress would help both the applicant and FWP to address ingress/egress and to minimize contact between wild and domestic animals. This stipulation, in addition to existing FWP fencing and wildlife protection requirements, would effectively reduce the risk to wildlife.

(2) *Provide a plan to FWP demonstrating the capacity to conduct regular inspections and to respond on a timely basis to occurrence of ingress and egress.*

The risk to wildlife from unreported ingress/egress is increased because the game farm operator will not reside on the site. The ability to inspect and respond to problems is necessary to reduce risks to wildlife by identifying and responding quickly to fence problems or ingress/egress events.

(3) *Increase fence height to 9 feet to prohibit ingress/egress in locations where the perimeter fence crosses steep (30 degree) slopes. Three specific areas of the perimeter fence have been identified: approximately 50 feet along each east to west fence line where it crosses the 30 degree slope.*

The proposed game farm is primarily located on a level ridge with excellent potential for fence construction. However, a portion of the northern and southern perimeter fence will traverse a moderately steep 30

degree slope. On the steeper slope segments, fence posts should be at least 9 feet above ground level to accommodate an extra strand of wire which must be supported with a supplemental stay every 8 feet. This additional strand of wire should reduce the ability of deer to take advantage of an inclined slope to jump the fence.

(4) Ensure fence integrity throughout the game farm by removing dead or dying trees from either side of the perimeter fence that may fall on the fence and conducting frequent inspections.

The proposed enclosure site is located at an elevation of about 2,900 feet and the expected snow levels during normal winters would be about 18 inches. However, during extreme winters, snow accumulations can reach 4 feet. The proposed game farm has only low potential for drifting during blizzards due to its sheltered location and the lack of adjacent large open areas. The development of significant drifts will be dependent upon storm characteristics and topography. Under these extreme conditions, the height of the fence above the compacted snow level may be sufficiently reduced to permit ingress of wild ungulates into the enclosure to gain access of supplemental feed. Domestic deer may also be able to leave the enclosure during periods of excessive snow cover. Removal of accumulated snow from the either side of the fence in drifted areas or increased fence height would be necessary during severe winters.

RECOMMENDED MITIGATION MEASURES

The following mitigation measures are recommended and address additional impacts identified in the EA that are likely to result from the Proposed Action.

- Maintain a reasonable stocking rate. A reasonable stocking rate is defined as "the density of animals appropriate to maintain vegetative cover in pasture condition that minimizes soil erosion from major precipitation events and snowmelt."
- Provide supplemental feed to the deer on a year-long basis to reduce the probability of overgrazing the herbaceous layer.
- Minimize stock traffic in saturated soil areas, if they develop, during the spring when groundwater and surface water levels are highest. Maintain a reasonable stocking rate for deer in the proposed game farm area to mitigate some of the potential erosion and sedimentation impacts.
- Control surface water runoff discharges from the game farm site, if they occur, by employing best management practices (BMPs) along the fence line. The BMPs may include earth berms, straw bale dikes, vegetative buffer zones, and/or silt fences.
- Store hay, feed, and salt away from exterior fences or enclosed in bear-resistant containers or buildings.
- Feed game farm animals at interior portions of the enclosure and not along the perimeter fence.
- Remove dead animals, excess fecal material, and waste feed from the game farm and deposit at an approved site not likely to be used by humans, domestic animals, and wild animals. Alternatively, dead animals could be buried (minimum depth of 2 feet) and fecal material could be composted on site in dry areas. Disposal must meet county regulations for solid waste.

- Inspect the exterior game farm fence on a regular basis and immediately after events likely to damage the fence to insure its integrity with respect to trees, frost heaving, corrosion, burrowing animals, predators and other game animals.

- If fence integrity or ingress/egress becomes a problem, adjust the fence as necessary, including double fencing, increased post support, replacing damaged posts, or increased fence height, particularly on steep slopes.

- During winters of exceptional snow cover or drifting, remove snow on either side of the enclosure fence to prevent ingress/egress. Adjustments in fence design or removal of snow may be necessary to maintain a minimum 8 foot high perimeter game-proof fence.

- Risk of disease epidemic or heavy parasite infections among domestic WTD can be minimized by maintaining a reasonable domestic WTD stocking rate in relation to the enclosure size, and proper management of manure in accordance with Montana Department of Environmental Quality guidance (DEQ 1996; Guide to Animal Waste Management and Water Quality Protection in Montana)..

- If archeological artifacts are observed during construction or operation activities at the game farm, work should stop and the discovery reported to:

  Montana Historical Society
  Historic Preservation Office
  1410 8th Avenue; P.O. Box 201202
  Helena, Montana 59620
  (406) 444-7715

  If work stoppage in the area containing observed artifacts is not possible, record the location and position of each object, take photographs, and preserve the artifact(s).

SUMMARY OF PUBLIC COMMENTS AND FWP RESPONSES

Public comments for the Fork Horn White Tail Ranch game farm Draft EA were accepted from December 31, 1997 through January 20, 1998. FWP received three written comment letters during the public comment period. Substantive comments and questions are summarized with FWP responses in this section of the Final EA. Public comments are considered substantive if they relate to inadequacies or inaccuracies in the analysis or methodologies used in the Draft EA, or identify new impacts or recommend reasonable new alternatives or mitigation measures; or involve disagreements or interpretations of impact significance. Comments which express personal preferences or opinions on the proposal rather than on the evaluation itself are included but are not specifically addressed. Public comments are reproduced in Appendix A.

Written Comment #1

Issue 1a:
Licensing the game farm will increase motor vehicle use of the existing access road to the proposed game farm. The applicant should be responsible for road maintenance of the road where it crosses federal land.

Response to Written Comment 1a:
Comment forwarded to applicant.

Written Comment #2

Issue 2a:
The location of the proposed game farm is within frequented habitat for grizzly bear, black bear, and mountain lions. Developing such a facility within an area is only asking for trouble and would cause an unwarranted threat to the native existing white-tailed deer populations.

Response to Written Comment 2a:
Information required by the stipulation for reporting of ingress or egress would help both the applicant and FWP to address ingress/egress and to minimize contact between wild and domestic animals. This stipulation, in addition to existing FWP fencing and wildlife protection requirements, would effectively reduce the risk to wildlife to below significant levels. See Fish/Wildlife evaluation in Draft EA (p. 25-29).

Issue 2b:
The location of the proposed game farm would reduce the necessary habitat for such predators which require vast acreage for their pursuit of prey and survival. Any reduction of habitat or degradation can adversely effect total populations within an area by upsetting the predator prey relationship.

Response to Written Comment 2b:
Comment noted. See Fish/Wildlife evaluation in Draft EA (p. 25-29).

Issue 2c:
A buffer zone of 20 feet for tree removal is not adequate. The buffer zone should be increased to a minimum of 100 feet due to the nature of the surrounding forest.

Response to Written Comment 2c:
See required stipulation #4 in this Final EA. It is the responsibility of the game farm owner to remove any dead or dying trees that may affect the integrity of the fence and conduct frequent inspections.

Issue 2d:
Concerns over potential threat of disease transmittal from domestic animals to native wildlife.

Response to Written Comment 2d:
See response to written comment 2a.

CONCLUSION OF THE EA

The Draft EA, as modified herein, is approved as the Final EA. The preferred alternative is the Proposed Action, modified with five stipulations. Based upon this review, it is determined that the Proposed Action with the required mitigation measures would not have a significant impact on the environment and that an EIS will not be required.

PERSONS RESPONSIBLE FOR PREPARING THE EA AND RESPONSE TO COMMENTS

Dept. of Fish, Wildlife and Parks

Jerry Brown, FWP Region 1 Wildlife Biologist
4777 Bobtail Road
Libby, Montana 59923
(406) 293-7905

Chris Ralph, FWP Region 1 Game Warden
1513 Lolo Ave.
Lolo, Montana 59923
(406)293-3381

Karen Zackheim, FWP Game Farm Coordinator
Enforcement Division
1420 E. Sixth Avenue
Helena, MT 59620
(406) 444-2452

Maxim Technologies, Inc.

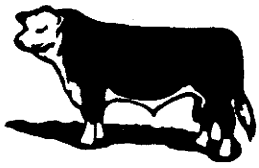
Daphne Digrindakis, EA Coordinator
Doug Rogness, Hydrologist
Mike Cormier, Soil Scientist
James Colgrove, GIS and Graphics
Don May, Field Technician
Holly Kuder, Data Acquisition

FaunaWest Wildlife Consultants

Craig Knowles, Wildlife Biologist

APPENDIX A

COMMENTS RECEIVED BY FWP DURING THE PUBLIC COMMENT PERIOD

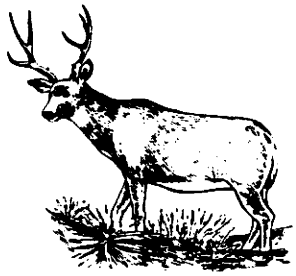


Kalispell Mont.
Jan-13-1998

Warden Chris Ralph

In regards to Harry Beebe intentions to raising Whitetail Deer on his property in Lincoln Co. Montana needs any small or large enterprises that People want to do. Mr Beebe is working on his own Private Property and I think you should grant him a permit to do so. I'm sure he will Comply with all laws pertaing to Game Farms. I'm sure he and his ~~neighbors~~ neighbours will enjoy looking at the Deer on a daily basis.

Robert Sporkin
700 White Basin Rd.
Kalispell Mont 59901



United States Department of Agriculture
Forest Service
Kootenai N. F.
Libby Ranger District
Canoe Gulch R. S.
12557 Hwy 37
Libby, MT 59923

File Code: 2730

Date: 1/14/98

Mr. Chris Ralph - Game Warden
MT. Fish, Wildlife & Parks
1513 Lolo Ave.
Libby, Montana 59923

Chris,

This letter is in regards to the draft EA for the Fork Horn White Tail Ranch Game Farm proposal. My concern is the applicant's proposal will increase motor vehicle use of the existing access road to the proposed game farm and that the applicant should be responsible for the road maintenance of that road where it crosses federal land (section 30).

A special use permit can be obtained by the applicant from us that outlines the road maintenance responsibities that would be commensurate with the proposed use of the existing road. Please contact Dick Harlow at 293-7773 for assistance with the permit or if there are any questions.

Sincerely,

Richard B. Harlow

For LAWRENCE A. FROBERG
District Ranger

cc: 2730 file

(NB)

MONTANA WILDLIFE FEDERATION

MONTANA WILDLIFE FEDERATION

P.O. Box 1175
Helena, MT 59624
email: mwf@desktop.org
Ph. 406-449-7604
Fax 406-449-8946

Region One
Regional Supervisor - Dan Vincent
490 North Meridian Rd.
Kalispell, MT. 59901

January 14, 1998

Dear Mr. Dan Vincent,

The Montana Wildlife Federation would like to go on record in opposition to the licensing of the Fork Horn White Tail Ranch Game Farm and support the 'No Action Alternative' as proposed within the Draft-Environmental Assessment.

Our objections and concerns, although there has been described some limited mitigation, are the following:

1. The location of the proposed game farm is within, as identified, frequented habitat for Grizzly Bear (a Federally listed threatened species), Black Bear, and Mountain Lion. These species are all aggressive predators that with fencing as described within the DEA are certain to ingress and or cause conflict. Developing such a facility within an area that has "transient individuals", animals that "are relatively common", and or have "small resident populations ....located in nearby areas" is only asking for trouble and would cause an unwarranted threat to the native existing populations.
2. The location of the proposed game farm would reduce the necessary habitat for such predators, as listed above, which require vast acreage for their pursuit of prey and survival. Any reduction of habitat or degradation can adversely effect total populations within an area by upsetting the predator prey relationship.
3. The location of the proposed game farm may also have an adverse effect on already low populations of naturally occurring wild elk, white-tailed deer, mule deer, and moose that have been identified as using this area yearlong and/or as winter range. Any further reduction of their winter range or natural habitat can only mean a reduction of native wildlife.
4. The mitigation of a buffer zone on the exterior of the game farm (fence line) for the removal of trees (approximately 20 feet) is not great enough. The effective tree height in the proposed area is 2 to 5 times higher. A buffer zone of 20 feet would be ineffective in an attempt to reduce the risk of a tree falling on and damaging the perimeter fence. This buffer zone, just by the nature of the surrounding forest, should be a minimum of 100 feet.
5. The fact that this proposed game farm is for the raising of white-tailed deer is another concern. We are deeply concerned over any potential threat of disease transmittal from domestic animals to native wildlife. Of particular

interest is the reference to Moose. Not only are moose transient in the area, using the area for winter range, but you have identified that "some moose are yearlong residents in this area." Meningeal worm, having been identified as a clinically silent nematode in white-tailed deer, has the potential of being easily transmitted from white-tailed deer to moose from nose-to-nose contact. Even though there is an undetermined potential, how can we risk our native wildlife that occurs within this area?

Thank you for the opportunity to express our concerns and support for the 'No Action Alternative." Further, we would like to support the request by the Libby Rod & Gun Club for the 'No Action Alternative.'

Respectfully yours,

Stan Frasier

Stan Frasier
Montana Wildlife Federation, President

Cc: Terry Klampe
Libby Rod & Gun Club